



DLA

Renewals

A Guide for Adults and Children
with
Ulcerative Colitis and Crohn's Disease

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The information in this guide is intended as general information only and is not intended to be relied upon by any individual in relation to their specific circumstances. It is not intended as a replacement for appropriate professional advice.

**Disability Living Allowance Renewals:
A Guide for Adults and Children with
Ulcerative Colitis and Crohn's Disease
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DLA renewal claims for adults and children

Some DLA awards are for an indefinite period, but most last for a fixed period: three years for example. The letter you receive informing you that you have been awarded DLA also tells you what period the award covers. Before your award runs out you should receive a renewal claim pack to complete and return; if you don't do so your award will not be renewed. If you haven't received a renewal pack four months before your award ends, call the Disability Benefits helpline on 08457 123 456 and ask for one. This brief guide explains how to complete the renewal pack and why it is vital that you do so in as much detail as possible.

When will I get a renewal claim pack?

They are usually sent out about six months before your current claim is due to end.

What's in the renewal claim pack?

The renewal claim pack is very similar to the original claim pack you completed and asks all the same questions about how your condition affects your everyday activities.

If my condition hasn't improved they can't reduce or stop my DLA, can they?

Unfortunately they can, particularly if you don't give sufficient information in the renewal pack. The decision maker will base their renewal decision solely on the up-to-date evidence in front of them about how your condition affects you. Many thousands of people lose their DLA every year, or have it reduced, because, although their condition hasn't changed, they thought that the renewal pack was just a formality.

But even if you do fill in the pack in just as much detail as your original and enclose just as much supporting evidence, you may still not get the same award. This could be because a different decision maker simply comes to a different conclusion about your entitlement or because the law has changed since your last claim was decided. For example, the law relating to lower rate mobility has been changed so that it is no longer given to people who don't walk alone in unfamiliar places for fear of an episode of incontinence (see the current Crohn's and Colitis UK guides to claiming DLA for more information about this).

What should I do when I get the renewal claim pack?

It may seem daunting to have to go through the application process again, but you should have plenty of time to complete it. Above all, try not to put it off until the last minute.

- **Contact your GP**

You should contact your GP as soon as you get the renewal pack, as the DWP may write to your GP enclosing a form asking for information about your condition. Make an appointment to see your GP before s/he completes any forms, or, at the very least, arrange a telephone consultation so you are able to provide up to date information about how your condition is affecting your everyday activities.

- **Get an up to date copy of the Crohn's and Colitis UK DLA guide**

Get an up to date copy of the Crohn's and Colitis UK guide to claiming Disability Living Allowance for adults, or for children if you are claiming for a child under 16. Don't rely on an old one if you still have it, as the law changes frequently. You can download a current copy of the guide from www.crohnsandcolitis.org.uk

- **Complete the pack in as much detail as possible**

Don't, as some people do, write '*Condition unchanged*' in reply to each relevant question and leave it at that – there is a good chance you will end up with no DLA at all. The decision maker may have no idea what your condition was like before, especially as the DWP will probably have shredded your original claim pack. Also, don't assume that because you are already receiving DLA this will count in your favour – it won't. The decision maker will make a decision based solely on the up to date evidence they have in front of them, regardless of what rate of DLA you currently receive.

Instead, fill out each page that is relevant to you as if writing for someone who knows absolutely nothing about you. However, it *is* still a good idea to say whether your condition has remained unchanged, or has even got worse – just don't make it the only evidence you provide. Use the *More about the way your illness or disabilities affect you* page of the claim form to do this.

- **Get supporting evidence**

Supporting evidence is every bit as important for a renewal claim as it is for the initial claim. Read the section on additional evidence in the guide and do your best to get as much evidence as possible.

Will I get a visit from a DWP doctor?

You may, but the chances are that you won't. Generally the decision maker will make their decision on the papers they have in front of them.

How quickly should I return the renewal form?

There are differing opinions about this.

- Some people think that it's best to leave it as long as possible to return the form. This is because, if a decision is made to reduce or end your DLA, it may take effect as soon as it is made, rather than when your old award runs out, (see below). So, the theory goes, the later you leave it to return the form, the less DLA you risk losing.
- Other people think you should return the form as soon as possible, because it's likely to take the DWP several months to make a decision. If you leave it too late there will be an interruption in your payments because your old award will have run out before the new one is decided upon. This may have an effect on other benefits that are dependent upon your receiving DLA.

The best advice we can give is that you should take as long as you need to complete the form and gather all the additional evidence you can and then send the form in without delay. If you are considering doing anything else, get advice from a benefits specialist.

However, if you are aware that your condition has significantly improved for a considerable period, or that there has been any other change that you are aware could affect your entitlement to DLA, you should inform the DWP as promptly as possible (this doesn't include changes in the law: the DWP will know about those). This applies at any time, not just in relation to renewals.

Failing to inform the DWP promptly could mean that they will take action to recover any benefits that they consider you have been overpaid. If the DWP consider that you dishonestly failed to notify them of a change that you knew would affect your entitlement, they may even seek to have you prosecuted for fraud.

Please don't be overly concerned about this; IBD is a fluctuating condition and you are not expected to contact the DWP every time your health improves for a few weeks. But trying to 'play the system' where renewals are concerned, by delaying returning the form, could have serious consequences.

If your health improves consistently, over a considerable period of time, perhaps after taking a different drug or after surgery, and thus your care or mobility needs decrease, this would count as a 'change of circumstances' and the DWP should be informed, whether or not your award is due for renewal. (Please see our Information Sheet 'Change of Circumstances'.)

When will I get a decision?

It's impossible to predict, but it can take three or four months for a decision to be issued. All sorts of things, including changes in the law and how long it takes your GP to respond if the DWP asks them for information, can have an effect. But the more detailed your claim form and the more additional evidence, particularly medical evidence, you are able to provide, the quicker the decision is likely to be.

Will the new decision take effect straight away or only when my old award runs out?

If the decision maker decides that your award should be reduced because, for example, your condition has improved, they can do so:

- from the date your old award runs out; or
- from the date on which they make their new decision; or
- backdated to the date when they think that you should have told them about a change in your circumstances, such as your condition improving.

If they backdate the decision they may ask you to repay some, or all, of the DLA you have received since that date. If you receive additional awards of other benefits, such as income support, because of your DLA then the DWP may try to recover these additional payments as well. If this happens to you, get help from an advice agency urgently.

If the decision maker decides to increase your award, for example, because your condition has deteriorated, they can only do so once the deterioration in your condition has lasted for three months.

What should I do if I'm not happy with the decision?

You need to act quickly, because there is a time limit for challenging decisions: usually within one month of the date on the letter giving you the decision. However, awards can go down as well as up if they are challenged, so you may need to get advice.

Crohn's and Colitis UK produces guides to revisions and appeals for adults and for children, which you can download from our website at www.crohnsandcolitis.org.uk

Alternatively, telephone the Information Line on **0845 130 2233** and ask to have a copy posted to you.

Help, Support and Information

Crohn's and Colitis UK

Disability Benefit Support: 0845 130 2233

Information and support for people with Colitis and Crohn's Disease in appealing a decision on DLA is provided through the Information Service. Anybody wishing to have more information about how to challenge a DLA decision should ring the Crohn's and Colitis UK Information Line on **0845 130 2233**. Our Information Officers can direct you to various sources of help. Information Officers can also make an appointment for you to speak to a trained Disability Benefit Service Volunteer. Our volunteer will telephone you, at a pre-arranged time, to talk over any questions or concerns you may have about your renewal.

Our guides to DLA are available on our website, www.crohnsandcolitis.org.uk or if you prefer, we can post one to you.

Crohn's and Colitis Support Line: 0845 130 3344

Even if you feel entirely able to renew your application without help, you may well find the process emotionally demanding. Contacts are Crohn's and Colitis UK members who have been trained to give supportive listening over the telephone. They are not there to deal with any questions to do with DLA, but if you find the process of renewing your DLA is causing you distress, they can offer support.

Family, friends, carers and other Crohn's and Colitis UK members

If you can arrange emotional support from amongst your family and friends it may make renewing your DLA easier to cope with. Bear in mind that the process may take many months.

Advice agencies and advice workers

These may be able to help with filling forms and with challenging the decision if you're unhappy with it. However, advice agencies may be almost impossible to get through to on the phone, have no appointment system, long queues and no public lavatory. If you can't get through to your local agency on the phone, try writing to them explaining your health problems and asking if they do home visits, or if they can telephone you at home and offer advice.

You can usually find numbers for advice agencies in your local Yellow Pages, in one or more of the following sections: disability information and services; information services; social service and welfare organisations; counselling and advice.

Please note: you may have to try repeatedly before you can get through to agencies on the telephone. You should also be aware that help from advice agencies is very much in demand, so the sooner you seek help the better.

Legal Services Commission: Direct helpline and website

The Community Legal Advice Service offers free initial (30 minutes) advice from a qualified legal adviser about Welfare Benefits between 9am and 8pm weekdays, 9am -12.30pm Saturdays. If you call outside office hours, just leave a message and they say they'll call you back. If you are eligible for Legal Aid you can then get further free legal help with your case by phone and post. To use the helpline, call **0845 345 4345**. After you choose the welfare benefits option you will be advised to listen to recorded messages about benefits. We recommend that you don't; the messages are long, sometimes confusing and you can read them at your leisure on the CLA website if you wish to. Instead go straight for the option of speaking to an adviser.

You can also get information about your nearest CLA funded advice providers by visiting the CLA website at: www.communitylegaladvice.org.uk

Citizens Advice Bureau (CAB)

There are over 750 bureaux in mainland Britain. Look under Citizens Advice Bureau in your phone book for details of your nearest one. You can also find details of your nearest bureau at: www.citizensadvice.org.uk

Citizens Advice Scotland (CAS)

To find your nearest bureau, look under Citizens Advice Scotland in your phone book or visit the CAS website at: www.cas.org.uk

AdviceUK

Over 900 advice agencies are members of AdviceUK. Details of your nearest ones are available from AdviceUK's website at www.adviceuk.org.uk

AdviceNI

AIAC is the umbrella body for independent advice centres in Northern Ireland. You can get details of your local independent advice centre in Northern Ireland from their website at: www.adviceni.net

Disability Information Advice Line

There are over 140 local DIALs, all staffed by disabled people and all offering telephone advice. If you have a local line it should be listed in your telephone directory under DIAL UK. Alternatively, call the national office on **01302 310 123** or visit their website at www.dialuk.info where you can find a directory of DIAL offices.

Housing Associations

Some housing associations employ a welfare rights worker. If you live in a housing association property, contact your local office.

Doctors' surgeries

An increasing number of surgeries and health centres have a welfare rights worker on the premises, part-time or full-time. Check with the receptionist.

Local Authority

Your local council may employ Welfare Rights Workers who can help you with your claim. Start by asking your council's main switchboard if they can put you through to a Welfare Rights Worker. If the operator doesn't know of one, ask to be put through to the Social Services Department and if they can't help, try the Housing Department; either department may employ Welfare Rights Workers.

Benefit Enquiry Line: 0800 88 22 00

This is a DWP line for general questions about benefits for 'disabled' people and carers.

Internet

www.dwp.gov.uk This is the website of the Department of Work and Pensions.

www.direct.gov.uk This is the website of the UK government.

www.disabilityalliance.org This website has a great deal of up to date information